

<b>NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES</b>		Docket Number (Optional)  200310817-1																
<p>I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)]</p> <p>on _____</p> <p>Signature _____</p> <p>Typed or printed name _____</p>		<p>In re Application of Nauka et al.</p> <table border="1"> <tr> <td>Application Number 10/698,717</td> <td>Filed 10/31/2003</td> </tr> <tr> <td colspan="2">Fo DATA STORAGE DEVICE INCLUDING CONDUCTIVE PROBE</td> </tr> <tr> <td>Art Unit 2656</td> <td>Examiner Van T. Pham</td> </tr> </table>	Application Number 10/698,717	Filed 10/31/2003	Fo DATA STORAGE DEVICE INCLUDING CONDUCTIVE PROBE		Art Unit 2656	Examiner Van T. Pham										
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<p>Applicant hereby <b>appeals</b> to the Board of Patent Appeals and Interferences from the last decision of the examiner.</p> <p>The fee for this Notice of Appeal is (37 CFR 41.20(b)(1)) \$ _____ 0</p> <p> <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: \$ _____         </p> <p> <input type="checkbox"/> A check in the amount of the fee is enclosed.         </p> <p> <input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.         </p> <p> <input checked="" type="checkbox"/> The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.         </p> <p> <input type="checkbox"/> The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. _____ . I have enclosed a duplicate copy of this sheet.         </p> <p> <input type="checkbox"/> A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.         </p>																		
<p><b>WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</b></p> <p>I am the</p> <table> <tr> <td><input type="checkbox"/> applicant/inventor.</td> <td>/Hugh Gortler #33,890/</td> </tr> <tr> <td colspan="2">_____ Signature</td> </tr> <tr> <td colspan="2">Hugh P. Gortler</td> </tr> <tr> <td colspan="2">_____ Typed or printed name</td> </tr> <tr> <td><input checked="" type="checkbox"/> attorney or agent of record. Registration number 33,890</td> <td>(949) 454-0898</td> </tr> <tr> <td colspan="2">_____ Telephone number</td> </tr> <tr> <td><input type="checkbox"/> attorney or agent acting under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34.</td> <td>2/23/2007</td> </tr> <tr> <td colspan="2">_____ Date</td> </tr> </table> <p>NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.</p>			<input type="checkbox"/> applicant/inventor.	/Hugh Gortler #33,890/	_____ Signature		Hugh P. Gortler		_____ Typed or printed name		<input checked="" type="checkbox"/> attorney or agent of record. Registration number 33,890	(949) 454-0898	_____ Telephone number		<input type="checkbox"/> attorney or agent acting under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34.	2/23/2007	_____ Date	
<input type="checkbox"/> applicant/inventor.	/Hugh Gortler #33,890/																	
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Hugh P. Gortler																		
_____ Typed or printed name																		
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_____ Date																		
<p><input checked="" type="checkbox"/> *Total of 2 forms are submitted.</p>																		

This collection of information is required by 37 CFR 41.31. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11, 1.14 and 41.6. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

## \* \* \* COMMUNICATION RESULT REPORT ( JUN. 7, 2006 6:24PM ) \* \* \*

FAX HEADER 1: HP LEGAL  
FAX HEADER 2:

TRANSMITTED/STORED : JUN. 7, 2006 6:24PM	FILE MODE	OPTION	ADDRESS	RESULT	PAGE
1861 MEMORY TX			USPTO	OK	1/1
REASON FOR ERROR		E-31: NO FAX/EMAIL CONNECTED			
E-31: NO ANSWER					
HEWLETT-PACKARD COMPANY Intellectual Property Administration P. O. Box 272400 Fort Collins, Colorado 80527-2400		PATENT APPLICATION ATTORNEY DOCKET NO. 290010817-1			

IN THE  
UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Krzysztof Nauka et al Confirmation No.: 1658  
 Application No.: 10/698717 Examiner:  
 Filing Date: Oct 31, 2003 Group Art. Unit:  
 Title: Data Storage Device Including Conductive Probe And Ferroelectric Storage Medium

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

NOTICE OF APPEAL FROM THE EXAMINER TO THE  
BOARD OF PATENT APPEALS AND INTERFERENCES

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the examiner dated.....JUN 7, 2006..... rejecting the following claims.....1.12 and 2.1.29.....  
 The fee for this Notice of Appeal is (37 CFR 1.17(b)) \$600.00.

(complete (a) or (b) as applicable)

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136(a) apply.

(X) (a) Applicant petitions for an extension of time under 37 CFR 1.136 (from 37 CFR 1.17(e)-(d) for the total number of months checked below:

one month \$120.00  
 two months \$480.00  
 three months \$1020.00  
 four months \$1680.00

( ) The extension fee has already been filed in this application.

( ) (b) Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

Please charge to Deposit Account 08-2028 the sum of .....\$620.00..... At any time during the pendency of this application, please charge any fees required or credit any over payment to Deposit Account 08-2028 pursuant to 37 CFR 1.26. Additionally please charge any fees to Deposit Account 08-2028 under 37 CFR 1.18 through 1.21 inclusive, and any other sections in Title 37 of the Code of Federal Regulations that may regulate fees. ....~~including 1.17(e)-(d)~~.....

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Alexandria, VA 22313-1450. Date of Deposit:.....08/.....

I hereby certify that this paper is being transmitted to the Patent and Trademark Office facsimile number.....(873) 273-8388..... on.....JUN 7, 2006.....

Number of pages: 1

Typed Name: Sheen Lehman

Signature: 

Respectfully submitted,

Krzysztof Nauka et al

By 

Sheen Lehman

Attorney/Agent for Applicant(s)

Reg. No. 39272

Date: JUN 7, 2006

Telephone No.: 650 857 7840